IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FOURTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

-

WRIT PETITION NO : 11926 of 2004

Between:

K.E. Dayananda Murthy, S/o. K. Elisha,
R/o. D.No.2-10-803, Jyothinagar, Karimnagar, Karimnagar District.

..... PETITIONER

AND

1 The Correspondent, C.S.I. High School, Karimnagar, Karimnagar District.
2 The District Educational Officer, Karimnagar, Karimnagar District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Wit of mandamus or any other appropriate Writ, declaring the action of the Ist respondent in not paying the petitioner his T.P.F amount from his T.P.F. Account 121802 on the file of the C.S.I. High School, Karimnagar, in spite of his representations including the representation dated 22-7-2002 as illegal, arbitrary and violative of Art.21 of the Constitution of India and it is further consequentially prayed that this Hon'ble Court may be pleased to direct the respondents to forthwith pay the petitioner his T.P.F. amount by considering and disposing of his representation dt. 22-7-2002.

Counsel for the Petitioner:MR.S.R.SANKU

Counsel for the Respondents: GP FOR EDUCATION

The Court at the stage of admission made the following ORDER:

The present writ petition is filed questioning the action of the respondents in not paying the Teachers Provident Fund to the petitioner.

The petitioner, while working as Junior Assistant in the first respondent School in Karimnagar District, was transferred to C.S.I. Mission High School, Parkal. Certain deductions have made from his salary by the first respondent such as premium for Life Insurance Corporation, Teachers Provident Fund. After attaining superannuation, he was retired from service on 31-01-2002. The first respondent has not drawn the said teachers provident fund amount and paid to him. Therefore, he gave a representation to the first respondent on 22-07-2002 but the same was not considered. Hence, he preferred the present writ petition.

Learned Counsel appearing for the petitioner contended that in spite of giving representation by the petitioner, the Teachers Provident Fund amount has not been drawn by the first respondent and therefore, necessary directions may be given to the first respondent.

Learned Government Pleader for School Education appearing for the respondents stated that necessary directions may be given to the first respondent, if the petitioner is otherwise entitled for the Teachers Provident Fund amount.

The petitioner was retired from service on superannuation on 31-01-2002. Certain amounts have been deducted from his salary towards Teachers Provident Fund while he was working in the first respondent School. The first respondent has to

draw the said amount and pay the same to the petitioner. Therefore, an appropriate decision has to be taken by the first respondent in pursuance of the representation given by the petitioner dated
22-07-2002.

In the result, the writ petition is disposed of directing the respondents to dispose of the representation of the petitioner dated 22-07-2002 within a period of eight weeks from the date of receipt of a copy of this order. In the circumstances, no costs.

14th JULY, 2004.

Kvni

To

1 The Correspondent, C.S.I. High School, Karimnagar, Karimnagar District.
2 The District Educational Officer, Karimnagar, Karimnagar District.

3 Two CCs to the Government Pleader for School Education, A.P.High Court Buildings, A.P., Hyderabad.(OUT)

4 Two CD copies.